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UNITED STATES DISTRICT COURT  
SOUTHERN DISTRICT OF FLORIDA

CASE NO. 00-6022 CIV-LENARD

HENRY NARANJO and  
MARLENE RAMIREZ,

Plaintiffs,

vs.

STEPHEN BYRONS SMITH and  
PALMER JOHNSON, INC.

Defendants.

Rivkind & Pedraza, P.A.  
66 West Flagler Street  
Suite 600  
Miami, Fla.  
1-15-2001 2:35 p.m.

DEPOSITION OF TONY ALLEN WATSON

taken before JULIO A. MOCEGA, R.P.R. and Notary  
Public in and for the State of Florida at Large,  
pursuant to Notice of Taking Deposition filed in  
the above case.

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# APPEARANCES:

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On behalf of Stephen Byron Smith

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## I N D E X

### WITNESS EXAMINATION

Mr Watson

Mr. Famulari 4, 86

Mr. Kallen 44, 90

Mr. Weber 72, 95

Mr. Valdes 98

### EXHIBITS

NONE

### THEREUPON:

Tony Allen Watson, was called as a  
witness and, having been first duly sworn, was  
examined and testified as follows:

### DIRECT EXAMINATION:

#### BY MR. FAMULARI:

Q. Please state your name and address  
for the record.

A. Tony Watson, 1610 Northwest North  
River Street, Miami.

Q. And your date of birth?

A. 4-12-52.

Q. And your Social Security number?

A. 253-86-2242.

Q. Could you give us a brief summary  
of your educational background?

A. High school, couple of trade  
courses and that is basically it.

Q. Okay, what about your vocational  
background?

A. Nothing but a few trade schools,  
sheet metal.

Q. Are you presently employed?

A. Yes.

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1 Q. And where is that?  
2 A. Merrill Stevens Dry-dock Company.  
3 Q. And what is your position at  
4 Merrill Stevens?  
5 A. South yard superintendent.  
6 Q. And how long have you been there?  
7 A. About eleven months.  
8 Q. And what are your duties as the  
9 yard superintendent?  
10 A. Supervise the yard, all of the  
11 work, scheduling the boats to be hauled. And  
12 that is basically it, running the yard.  
13 Q. How many years have you worked in  
14 boatyards, been involved in boat repairs?  
15 A. Oh, total probably about ten or  
16 eleven.  
17 Q. Before you got involved working in  
18 boatyards what did you do?  
19 A. I was a maintenance supervisor in a  
20 chemical plant.  
21 Q. Where that was?  
22 A. Up in Atlanta.  
23 Q. And what did you do at the chemical  
24 plant?  
25 A. We did all of the maintenance on

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1 all of the equipment, all of the piping and  
2 electronics and electrical aspects of the plant.  
3 Q. And after you left the chemical  
4 plant in Atlanta where did you go?  
5 A. I went to Bradford Marine.  
6 Q. So that was sometime around 1990?  
7 A. '93, I think.  
8 Q. When you first went to Bradford  
9 what was your job there?  
10 A. I was a welding foreman.  
11 Q. Where did you get your training as  
12 welder?  
13 A. My father was a welder. I started  
14 out working for him when I was in school.  
15 Q. Have you had, ever had any formal  
16 training as a welder, vocational courses or  
17 anything like that?  
18 A. No, nothing but training in the  
19 trades.  
20 Q. About how many years have you been  
21 welding?  
22 A. Since I was twelve years old.  
23 Q. So that is 36 years. We are the  
24 same age. So you went to work at Bradford in  
25 1992 as a welder supervisor?

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1 A. '93.  
2 Q. '93?  
3 A. Yes.  
4 Q. Was that your first job as a welder  
5 or did you weld at the chemical plant also?  
6 A. Oh, yes, I welded for years and  
7 years. Pipe fitting and plate welding.  
8 I had worked at Merrill Stevens in  
9 the early eighties working on boats, too, same  
10 type of work.  
11 Q. So you worked at Merrill Stevens in  
12 the 1980?  
13 A. Yes, '81 to '85, somewhere about  
14 there.  
15 Q. Were you a welding supervisor at  
16 Merrill Stevens?  
17 A. No, just a welder fabricator.  
18 Q. When you went to work at Bradford  
19 in 1993 did they give you any further training  
20 as a welder?  
21 A. No.  
22 Q. Did you have to take any kind of a  
23 welding test or anything like that?  
24 A. Sometimes you do, but usually it is  
25 required through the company, but I didn't have

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1 to take one.  
2 Q. When you went to work at Bradford  
3 in 1993 were you ABS certified?  
4 A. No, I had people that worked for me  
5 that were ABS certified.  
6 Q. During the time that you worked at  
7 Bradford did you ever become ABS certified?  
8 A. No.  
9 Q. As a welding supervisor at Bradford  
10 what were your general duties?  
11 A. Run the shop, scheduled the work,  
12 inspect the work and just general supervision of  
13 employees.  
14 Q. Did you have any involvement of  
15 helping to bid jobs when a project came in?  
16 A. Yes.  
17 Q. And how would you become involved  
18 in that? I would bid each -- each shop at  
19 Bradford would bid their particular skill. Like  
20 the welding jobs, fabrication, I would look at  
21 the jobs and then bid them.  
22 Q. And then your bid would go into the  
23 project manager?  
24 A. Yes, sometimes. We didn't have a  
25 project manager in the beginning. They would go

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<p>1 to the yard superintendent and he would review</p> <p>2 them.</p> <p>3 Q. During the time that you worked at</p> <p>4 Bradford say let's start in 1993, how many</p> <p>5 welders did you have working in your shop?</p> <p>6 A. '93 I had five.</p> <p>7 Q. What about in 1997?</p> <p>8 A. '97 we probably had, I'd say around</p> <p>9 fourteen or fifteen.</p> <p>10 Q. How would you come to assign</p> <p>11 welders to a particular job or jobs?</p> <p>12 A. Sometimes I would assign them</p> <p>13 because of their expertise, you know, their</p> <p>14 different -- Some of them were good tig welders,</p> <p>15 good stick welders, some could fabricate. You</p> <p>16 would assign them -- you get to know what they</p> <p>17 were good at.</p> <p>18 Q. Were there any kind of general</p> <p>19 instructions that you would give your welders,</p> <p>20 you know, not on a daily basis but say when they</p> <p>21 came to work for you? Did you have any kind of</p> <p>22 standard operating procedure, anything that they</p> <p>23 were supposed to follow that you wanted them to</p> <p>24 do?</p> <p>25 A. I don't, I don't understand.</p>	<p>1 about the explosion in July of 1997 when Henry</p> <p>2 Naranjo was injured. You are familiar with</p> <p>3 Henry Naranjo?</p> <p>4 A. Yes.</p> <p>5 Q. And how long did you know Henry</p> <p>6 before this incident took place?</p> <p>7 A. He was working for Bradford when I</p> <p>8 came there.</p> <p>9 Q. Was there any kind of particular</p> <p>10 job that you would assign Henry to?</p> <p>11 You said earlier that certain</p> <p>12 people had different expertise. Did Henry have</p> <p>13 anything like that?</p> <p>14 A. Yes, he was -- He was specialized</p> <p>15 in aluminum repairs and custom fabrication.</p> <p>16 Q. We know the explosion took place on</p> <p>17 the yacht SOUVENIR. Did you have any</p> <p>18 involvement in bidding the refit that was, the</p> <p>19 SOUVENIR was going to undergo at that time?</p> <p>20 A. I don't think that we bid a lot of</p> <p>21 work. It was mostly time and material, most of</p> <p>22 the work that we did it, did on it. I don't</p> <p>23 recall. There my have been a few items that we</p> <p>24 bid.</p> <p>25 Q. Do you remember if there were any</p>
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<p>1 Q. Well, let me --</p> <p>2 A. Company rules or --</p> <p>3 Q. Well, yes, rules that I had as a</p> <p>4 welding foreman that, how you wanted them to do</p> <p>5 their work?</p> <p>6 A. Yeah, I mean we had basic</p> <p>7 procedures about, you know, you come in and I'd</p> <p>8 assign the work to them and they had to keep</p> <p>9 their work areas clean as they were doing their</p> <p>10 work and, you know, quality control and make</p> <p>11 sure that the work was nice, you know, decent</p> <p>12 work, up to standards.</p> <p>13 Q. Did you have any involvement in</p> <p>14 hiring welders?</p> <p>15 A. Yes.</p> <p>16 Q. Okay.</p> <p>17 A. I hired them all.</p> <p>18 Q. If a welder wanted a job they would</p> <p>19 have to come and see you and you would interview</p> <p>20 them?</p> <p>21 A. Yes.</p> <p>22 Q. Did you give them any kind of</p> <p>23 welding test?</p> <p>24 A. A lot of times I did.</p> <p>25 Q. Okay, we are here today to talk</p>	<p>1 major welding jobs on, that were going to be</p> <p>2 done on that vessel?</p> <p>3 A. There was the main engine exhaust</p> <p>4 changed out. They had a leak in the fuel tank</p> <p>5 that we had to repair that. We put in some</p> <p>6 demister system for air intake into the engine</p> <p>7 room, which is a major modification to the boat.</p> <p>8 Q. Did you have any other welders</p> <p>9 beside Henry working on the vessel?</p> <p>10 A. Probably, but I can't recall. I</p> <p>11 can't recall any work on it. There was a lot of</p> <p>12 work going on, so it had to be more than one</p> <p>13 person.</p> <p>14 Q. Do you recall whether Captain</p> <p>15 Bredbeck requested Henry to work on the vessel?</p> <p>16 A. Yes.</p> <p>17 Q. Do you know why Captain Bredbeck</p> <p>18 would want anybody in particular?</p> <p>19 A. He, he wanted a good guy. Henry</p> <p>20 was in demand. He was often requested.</p> <p>21 Q. Do you know if Henry had welded on</p> <p>22 projects that Captain Bredbeck had been involved</p> <p>23 in before? You know, how would he know Henry</p> <p>24 from somebody else?</p> <p>25 A. Just being in the yard and seeing</p>

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1 who was good. I might have assigned him to him  
2 in the beginning and then he realized that he  
3 was good.

4 Q. Okay.

5 A. That was Henry's expertise, that  
6 type of work.

7 Q. How would the welders keep track of  
8 what they did everyday?

9 A. Time tickets. They did time  
10 sheets.

11 Q. And how would that work?

12 A. They turned them in. Each job had  
13 a different item number on it or a count and  
14 then each job had an item so if they worked on  
15 it they would do a small description of what  
16 they did and put an item number and they would  
17 turn them in.

18 Q. And was that something that you as  
19 the day went on, or at the end the day --

20 A. At the end of the day.

21 Q. What they would do if they were  
22 working on one particular task and halfway  
23 through the day they finished and they went to  
24 start another?

25 Would there be any kind of

1 Q. What kind of relationship did Henry  
2 have with Captain Bredbeck? Did they work  
3 together fairly closely?

4 A. Yes, Jack liked him. He liked his  
5 work and liked the way that he worked.

6 Q. Now, we know that when the  
7 explosion took place Henry was down in the  
8 lazarette welding and it had to do with the  
9 installation of some hydraulic steering pumps.

10 Did you have anything to do with  
11 the people that were putting the hydraulic  
12 steering pumps in?

13 A. No.

14 Q. There was an issue over whether  
15 that deck was, the deck in the lazarette was  
16 thick enough to mount those pumps to.

17 Were you ever consulted at all  
18 about that.

19 MR. KALLEN: Object to the form.

20 THE WITNESS: Pardon?

21 MR. KALLEN: No, go ahead.

22 BY MR. FAMULARI:

23 Q. You can go ahead and answer.

24 A. Henry was doing several projects.

25 When the captain -- when he got to that one, he

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1 paperwork or inspection that needed to be done  
2 or anything like that?

3 A. They would pick up another number  
4 and keep going on it.

5 Q. How closely did you as the welding  
6 foreman keep track of what the welders were  
7 doing?

8 A. I had to keep up with everyday  
9 hourly almost. You know, to stay on top of  
10 things. Checking on jobs, go inspect them.

11 Q. Now, in the case of the SOUVENIR  
12 sounds like there was a substantial amount of  
13 welding work being done.

14 Was that, was it a situation where  
15 you would be there several times a day,  
16 everyday, once a week?

17 A. Oh, several times a day on that  
18 particular boat. We were -- when you are doing  
19 a refit you have to do a lot of layout work and  
20 I was involved in the layout work and, you know,  
21 the general installation and the fit up of most  
22 of the things that we were doing on the boat.

23 Q. Did you have contact with Captain  
24 Bredbeck on a daily basis?

25 A. Yes, everyday.

1 let me know that they were going to do, to put  
2 doublers back in there for the pumps.

3 Q. Who let you know that?

4 A. Henry.

5 Q. Do you know whose decision it was  
6 to put doublers back there?

7 MR. KALLEN: Object to the form.

8 THE WITNESS: He had talked to Jack  
9 and they decided that is what they were  
10 going to do, to install them.

11 BY MR. FAMULARI:

12 Q. Do you know if -- Do you know if  
13 Bruce Adkinson had anything to do with putting  
14 the doublers in?

15 A. Bruce?

16 Q. Bruce Adkinson was the gentleman  
17 who was installing the hydraulics, if you are  
18 familiar with any of that?

19 A. No, no, I think they just wanted  
20 the bases put down. They were going to mount  
21 them.

22 Q. As welding foreman do you have any  
23 kind of a policy or give instructions to the  
24 welders in using air extractors before they  
25 started welding in an area?

1 A. Yes.  
 2 Q. And what would you tell them to do?  
 3 A. We were very cautious about it. We  
 4 wanted to make sure that any kind of space like  
 5 that was ventilated.  
 6 They all had for the most part, had  
 7 their own fans. If we need to put a big  
 8 extractor, pneumatic extractor, we would do  
 9 that.  
 10 Q. Do you know what was done in this  
 11 particular case?  
 12 A. I think we used the pneumatic. I  
 13 am not -- I am not positive, but I know that we  
 14 did use some type of air extractor or a blower.  
 15 Q. What is the difference between the  
 16 air extractor and the pneumatic?  
 17 A. The pneumatic is a, it is a -- It  
 18 does an interior effect where you hook an air  
 19 line to it and it is not electrical and it will  
 20 blow either direction, if you need to put a sock  
 21 on it, if the blower is in to take vapors out of  
 22 the boat.  
 23 Q. Prior to the explosion in the  
 24 lazarette did you ever have the occasion to go  
 25 down in the lazarette to see what was down there

1 that we started working there, so they were off  
 2 for several days after we got into the project.  
 3 And I don't recall if they were  
 4 maybe working on the teak or at the same time.  
 5 I know we had them out.  
 6 Q. Do you know what a shipyard  
 7 competent person is?  
 8 A. Yes.  
 9 Q. Could you tell us what that is?  
 10 A. If you go to a course, a seminar to  
 11 learn about the gases and the, they teach you  
 12 how to use the meters, oxygen meters and stuff.  
 13 Q. And are you a shipyard competent  
 14 person?  
 15 A. Yes.  
 16 Q. And what is the job of a shipyard  
 17 competent person?  
 18 A. You are supposed to inspect after  
 19 the chemist does his inspection for -- you know,  
 20 clears you for hot work. You are supposed to go  
 21 in everyday and, you know, theoretically and  
 22 inspect and I think as time goes on and actually  
 23 you sign off on certain items, but it's not  
 24 required, I wouldn't think. It may be now.  
 25 Q. Okay.

1 or the work that was, look at the work?  
 2 A. Yes, I went in there and looked at  
 3 it.  
 4 Q. And this was prior to the  
 5 explosion?  
 6 A. Yes, within like a day or so.  
 7 Q. Any particular reason why you would  
 8 be going down there?  
 9 A. Might have been to look at the  
 10 pumps and just the position where they were  
 11 going to put them.  
 12 Q. What kind of hatches were on the  
 13 upper deck or on top of the lazarette?  
 14 A. They were teak covered. They were  
 15 -- I don't think that they hinged down. I  
 16 think they locked in. I think there was maybe  
 17 three.  
 18 I know there was a live bait well  
 19 or something that it was taken out so there was  
 20 like three big holes in the deck itself.  
 21 Q. During the time period that  
 22 Bradford was doing this refit were those hatch  
 23 covers on the lazarette or were they put away  
 24 someplace?  
 25 A. They were on up until the point

1 A. Inspect the general area and make  
 2 sure that nothing is changed. No oil has  
 3 dripped into the bilge after, you know, after  
 4 the chemist is, has issued the certificate on  
 5 it.  
 6 Q. To your knowledge was a marine  
 7 chemist called down to the SOUVENIR before the  
 8 refit started?  
 9 A. We had called the chemist on some  
 10 hot work in the tanks.  
 11 Q. And did he come down and inspect  
 12 the vessel?  
 13 A. Yes.  
 14 Q. And when the marine chemist comes  
 15 do you know what does he do?  
 16 A. He checks. We have the tanks  
 17 cleaned and then he inspects them and makes sure  
 18 that, like the vapor level is low enough to weld  
 19 in the tanks.  
 20 Q. Now, what about the work that was  
 21 done in the engine room, was that certified by  
 22 the marine chemist?  
 23 A. That might have been part. I can't  
 24 recall, but if the engine, the engine room was  
 25 gutted completely.



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1 Q. Were the engines taken out of the  
2 vessel?  
3 A. Completely out. Yes, cut a hole in  
4 the side of the boat.  
5 Q. When your welders were working on a  
6 vessel in general were there any particular  
7 circumstances that -- Strike that.  
8 Were there, was there anytime that  
9 you expected them to come to discuss certain  
10 situations with you?  
11 A. Yes, as a general rule. Yes,  
12 certain -- When they would run into a problem.  
13 They want to show me what is happening.  
14 When I go to the boat and see what  
15 is happening on the boat and check it, check on  
16 the progress.  
17 Q. What about in the, any of the years  
18 that you worked with Henry, would Henry come and  
19 discuss things with you?  
20 A. Oh, yeah, he kept me up all the  
21 time on what was happening.  
22 Q. As a shipyard competent person did  
23 you have some kind of a definition or something  
24 that you used to determine whether something was  
25 a confined space?

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1 A. I think we went by the OSHA rules  
2 as far as confined spaces. I think that the  
3 marine chemists go by that.  
4 They are, and they may be a little  
5 tougher on, you know, their rules of it.  
6 Q. Would you consider the lazarette in  
7 the SOUVENIR a confined space?  
8 A. With the three hatches that were  
9 opened in the back I wouldn't have considered it  
10 a confined space because it was basically half  
11 open.  
12 Q. In this particular instance you  
13 understand that Henry was going to weld some  
14 doublers down there for the pumps?  
15 A. Right.  
16 Q. Did he discuss with you how he was  
17 going to fabricate these and how they were going  
18 to mount the pumps?  
19 A. He basically did. He told me that  
20 he had to make the doublers. I'd seen the pumps  
21 already and he showed me where he wanted to put  
22 them and he more or less did all of the drilling  
23 and tapping and got them ready in the shop.  
24 Q. And how were the pumps going to be  
25 attached to the doublers?

1 A. They drill and tapped them and they  
2 were going to just bolt them to the doubler.  
3 Q. Do you know if at anytime anybody  
4 drilled any holes in the actual deck that was in  
5 the lazarette?  
6 A. I don't know.  
7 Q. After the explosion did you have  
8 the opportunity to inspect the, what had  
9 happened in the lazarette?  
10 A. Yes.  
11 Q. Did you see any evidence of anybody  
12 having drilled any holes in it?  
13 A. Not after it was -- After the  
14 explosion, no.  
15 Q. There has been a question that we  
16 have. Prior to this we have taken the  
17 deposition of Henry Naranjo and Mark Tortora who  
18 seem to be the people most knowledgeable of  
19 about what went on here.  
20 Do you recall when you inspected,  
21 looked at the lazarette afterwards whether there  
22 were any holes blown in that deck that could  
23 have been caused by Henry welding.  
24 MR. WEBER: Excuse me, could I  
25 have, could I have the question read back,

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1 please.  
2 (Thereupon, the above-mentioned  
3 question was read by the reporter as above  
4 recorded.)  
5 MR. KALLEN: Object to the form.  
6 MR. WEBER: I will join.  
7 MR. VALDES: Brilliant.  
8 MR. WEBER: Go ahead, you can  
9 answer.  
10 THE WITNESS: I didn't, I didn't  
11 see any holes that were blown in the deck.  
12 BY MR. FAMULARI:  
13 Q. What causes a welder to a blow a  
14 hole in a deck or any kind of metal plate?  
15 A. The heat, the metal is thin and the  
16 type of application of welding that you are  
17 doing is too hot. Aluminum is real, it heats up  
18 real quick, so you have to move with it and the  
19 thinner it is the easier it is to blow, blow  
20 through.  
21 Q. Is it a problem when you are  
22 welding two pieces of aluminum where one is much  
23 thicker than the other?  
24 A. You have to weld just a little bit  
25 different. You stay about the thicker piece and

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<p>1 you just have to -- if you know the process you</p> <p>2 have to move faster and kind of stay to the</p> <p>3 thicker piece as you -- You kind of get what I</p> <p>4 am saying? You move quicker just to not do</p> <p>5 that.</p> <p>6 Q Was that the kind of thing that</p> <p>7 Henry was good at?</p> <p>8 A. Yes, he was real good at it.</p> <p>9 Q. Do you remember what the thickness</p> <p>10 of that deck was in the lazarette?</p> <p>11 MR. KALLEN: Object to the form,</p> <p>12 lack of predicate.</p> <p>13 BY MR. FAMULARI:</p> <p>14 Q. You can answer.</p> <p>15 A. Probably three sixteenths of an</p> <p>16 inch.</p> <p>17 Q If you are welding on three</p> <p>18 sixteenths aluminum what kind of amperage should</p> <p>19 the welder be set at?</p> <p>20 MR. KALLEN: Object to the form.</p> <p>21 BY MR. FAMULARI:</p> <p>22 Q You can answer, if you can?</p> <p>23 A Maybe around 130, 130 amps. That</p> <p>24 is misleading because a welding machine, you</p> <p>25 know, it shows the amperage on it, but it is, it</p>	<p>1 with anybody about what was under that deck in</p> <p>2 the lazarette?</p> <p>3 A. I did with Henry and he had spoken</p> <p>4 with Jack and said there was nothing there. In</p> <p>5 my understanding it was concrete, completely</p> <p>6 filled up with concrete.</p> <p>7 Q. And when did you have this</p> <p>8 discussion with Henry?</p> <p>9 A Oh, earlier that afternoon of,</p> <p>10 maybe in the morning that day.</p> <p>11 Q. Did you discuss anything else with</p> <p>12 Henry in that conversation that you can</p> <p>13 remember?</p> <p>14 A. No, I can't recall.</p> <p>15 Q Would that be the kind of thing</p> <p>16 that Henry would come and discuss with you while</p> <p>17 he was doing a welding job?</p> <p>18 A. Yes, you know, just to see where we</p> <p>19 are headed with it.</p> <p>20 Q Now, we know that when Henry went</p> <p>21 to weld that there was an explosion and we are</p> <p>22 still not quite sure why.</p> <p>23 Is there something else that Henry</p> <p>24 should have done to, you know, that would have</p> <p>25 kept this from happening.</p>
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<p>1 is -- all machines vary, so you just are</p> <p>2 assuming that it is 130. You go by feel mostly.</p> <p>3 Q Did certain welders try to use the</p> <p>4 same machines all the time?</p> <p>5 A. More or less. Our machines, we had</p> <p>6 the same type of machines. We had more than one,</p> <p>7 so it didn't really matter which machine you</p> <p>8 picked up.</p> <p>9 Q. On this SOUVENIR for the job that</p> <p>10 was being done, did you just leave a welder on</p> <p>11 the boat all the time?</p> <p>12 A It was --</p> <p>13 MR. KALLEN: Object to the form.</p> <p>14 THE WITNESS: It was probably on</p> <p>15 the dock, the machine itself.</p> <p>16 BY MR. FAMULARI:</p> <p>17 Q And would that get put away every</p> <p>18 night?</p> <p>19 A. Probably just rolled up and put,</p> <p>20 you know, pushed out of the way on the dock.</p> <p>21 Q. Would there have been more than one</p> <p>22 welder being used on the vessel?</p> <p>23 A. Yes at times, yes.</p> <p>24 Q Prior to Henry welding the doubler</p> <p>25 plate down there did you have any discussions</p>	<p>1 MR. KALLEN: Object to the form.</p> <p>2 THE WITNESS: I don't know what</p> <p>3 else he could have done. I mean, given the</p> <p>4 information that we had.</p> <p>5 BY MR. FAMULARI:</p> <p>6 Q. Do you know if anybody had any</p> <p>7 plans or drawings of the vessel at Bradford?</p> <p>8 A No.</p> <p>9 Q Do you know if there were any on</p> <p>10 the vessel?</p> <p>11 A. There could have been. It's</p> <p>12 possible that they were on the vessel.</p> <p>13 Q Do you ever recall seeing anything?</p> <p>14 A. No.</p> <p>15 Q. We have taken a look at some of the</p> <p>16 invoices that Bradford generated for the work</p> <p>17 done in, on this vessel and we do not see any</p> <p>18 job numbers, item numbers that describe the work</p> <p>19 that Henry was doing in the lazarette.</p> <p>20 Can you think of any reason why</p> <p>21 would, that would be the case?</p> <p>22 A. Sometimes when we run like several</p> <p>23 small jobs, little projects. They would turn</p> <p>24 the time tickets in and I would do the time, the</p> <p>25 work orders and finish up like in the morning.</p>

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1 late that afternoon or the next day after the  
 2 guys have left.  
 3 Q. Was Henry doing a lot of little  
 4 jobs on the vessel?  
 5 A. Had several.  
 6 Q. Do you recall some of the other  
 7 stuff that he was doing?  
 8 A. Mostly brackets. Hanging brackets.  
 9 Q. And at whose request would Henry do  
 10 these different jobs?  
 11 A. Through Jack, the captain.  
 12 Q. So this wasn't something where you  
 13 would say as Henry's supervisor, Henry, I want  
 14 you to weld this bracket here and this bracket  
 15 there? Did it work that way?  
 16 A. Sometimes when you get a job like  
 17 that and you were finishing up all of the little  
 18 small items he would work directly through Jack  
 19 and Jack would, you know, show him what he  
 20 wanted to make and it might be brackets or  
 21 little plates or doublers.  
 22 So it was -- most of them were so  
 23 small he could just work through the captain,  
 24 which I have done several times where they would  
 25 hand him a list of little small projects that

1 Q. At the time of the explosions were  
 2 the engines in the vessel?  
 3 A. Yes.  
 4 Q. Had they been hooked back up to the  
 5 shaft and tested or anything like that, to your  
 6 knowledge?  
 7 A. They hadn't been sea-trialed, but I  
 8 think they ran the engines.  
 9 Q. And during most of this refit was  
 10 the vessel kept in the water?  
 11 A. About half and half.  
 12 Q. Were the generator sets still  
 13 functional during the refit?  
 14 A. I don't know.  
 15 Q. Was the navigational equipment kept  
 16 on board the vessel during the refit?  
 17 A. I don't recall.  
 18 Q. Now, in your work on the SOUVENIR  
 19 prior to the explosion and you said that you  
 20 were down in the lazarette a couple of times,  
 21 did you ever see any kind of vents or anything  
 22 that would have come from below that deck  
 23 between there and the skin of the boat?  
 24 A. No.  
 25 Q. In your experience in the marine

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1 they wanted to do.  
 2 Q. Do you know if Captain Jack had any  
 3 kind of a list in this particular case?  
 4 A. I don't recall him having a list.  
 5 Q. Is it unusual for a captain to get  
 6 that involved in a little, in the little details  
 7 of when there is work being done on the boat?  
 8 MR. KALLEN: Object to the form.  
 9 THE WITNESS: No.  
 10 BY MR. FAMULARI:  
 11 Q. And I know we have covered this a  
 12 little bit before, but I am still a little  
 13 confused.  
 14 As far as the doubler plates were  
 15 concerned, putting them down there, do you know  
 16 at whose request those were fabricated and put  
 17 down there?  
 18 A. Best of my knowledge, Jack.  
 19 MR. VALDES: So the record is  
 20 clear, when you say Jack you are talking  
 21 about Captain Bredbeck?  
 22 THE WITNESS: The captain.  
 23 BY MR. FAMULARI:  
 24 Q. Captain Jack?  
 25 A. Yes.

1 industry is that unusual?  
 2 A. It would be if it was considered a  
 3 tank. If it was a tank it would have some type  
 4 of vents.  
 5 Q. What if it was not going to be used  
 6 as a tank, it was just going to be a void space  
 7 that was welded up, would you expect to see any  
 8 kind of vents?  
 9 A. I would think there would be some  
 10 type of vent in there.  
 11 Q. Why would you put venting in a  
 12 space like that?  
 13 A. Just for vapors.  
 14 Q. The deck that was in the lazarette  
 15 prior to the explosion, how was that welded  
 16 down, if you remember?  
 17 A. It was full seal welded and it had  
 18 plug welds on the framing.  
 19 Q. What do you mean by plug welds?  
 20 A. They cut a slot where the frames go  
 21 through the boat and they plug weld it. They  
 22 fill it up and weld the plate to the frame.  
 23 Q. In your opinion as a welder and  
 24 somebody involved in shipyard work if the  
 25 welding was done well, properly done in the



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1 lazarette would that make it watertight?  
 2 A. Yes, that is the way that it was  
 3 welded up.  
 4 Q. To your knowledge prior to the  
 5 explosion were there any, any pumps that went  
 6 into that void space or any way to pump out that  
 7 space?  
 8 A. No.  
 9 Q. Do you recall if there were any  
 10 hydraulic lines or electric lines that ran  
 11 through, ran into that void space?  
 12 A. No, there were none.  
 13 Q. Were you involved in the repairs  
 14 that were done afterwards?  
 15 A. Yes.  
 16 Q. And how was the lazarette put back  
 17 together?  
 18 A. It was put in sections of plate and  
 19 bolted down through the whole, the whole area  
 20 that was blown up, everything was put back in,  
 21 bolted back with screws.  
 22 Q. Was it, when it was put back in was  
 23 it watertight then?  
 24 A. No.  
 25 Q. Was there any kind of pumping

1 A. I was in the, in my office.  
 2 Q. Did you hear the explosion?  
 3 A. Oh, yes.  
 4 Q. And what did you do when you heard  
 5 the explosion?  
 6 A. Took off to the boat.  
 7 Q. How long did it take you to get  
 8 there?  
 9 A. Ten seconds maybe.  
 10 Q. And what did you see when you got  
 11 there?  
 12 A. Henry had gotten out of the hole  
 13 laying on his back. He managed to crawl out.  
 14 Q. After the explosion was the floor  
 15 in the lazarette buckled up?  
 16 A. Completely blown loose, all of the  
 17 plug welds and all of the seal welds around the  
 18 fresh water tank, it had rolled up.  
 19 MR. KALLEN: Are you looking at  
 20 thirteen.  
 21 MR. FAMULARI: I want to look at  
 22 the one that has, that might show where the  
 23 plug welds were blown out.  
 24 MR. KALLEN: Here.  
 25 MR. VALDES: Don't mix them up.

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1 system put in there?  
 2 A. I didn't put any pumping system in  
 3 there. But I did the plate work and the metal  
 4 work?  
 5 A. Access holes, like two inch access  
 6 holes. I think they were two inch.  
 7 Q. Do you recall after the explosion  
 8 what the condition of the equipment that was in  
 9 the lazarette, what did that look like?  
 10 A. The two new pumps were under the I  
 11 beam for the cockpit. They were blown up and  
 12 they were crushed. They happened to be sitting  
 13 under the beam with the deck and it crushed  
 14 those.  
 15 Q. Was there an air extractor down in  
 16 the lazarette, if you remember?  
 17 A. I think so.  
 18 Q. Do you remember what the condition  
 19 of that was afterwards?  
 20 A. I think it was okay. Nothing was  
 21 really damaged other than the two big new  
 22 hydraulic pumps as far as equipment that was in  
 23 there. Maybe some piping.  
 24 Q. Where were you when the explosion  
 25 took place?

1 MR. KALLEN: Yes, don't mix them  
 2 up.  
 3 BY MR. FAMULARI:  
 4 Q. Okay, Mr. Watson, I am going to  
 5 show you what previously was marked as 13-A and  
 6 if you would look at the top picture there.  
 7 There is what seems to be a hole in that deck.  
 8 Do you have any idea what caused that hole?  
 9 A. This one here?  
 10 Q. Yeah?  
 11 A. That is a plug weld that is pulled  
 12 out, pulled up.  
 13 Q. So when the explosion took place  
 14 underneath and pushed the floor up, it actually  
 15 ripped a hole in the --  
 16 A. Yes, the weld stayed and the plug  
 17 came up. There is one here that looks like it,  
 18 too.  
 19 Q. Also looking at here at 13-E there  
 20 is another one. That is the same kind of --  
 21 A. Same thing.  
 22 MR. VALDES: Which photo, the top.  
 23 MR. FAMULARI: The bottom on 13-E.  
 24 THE WITNESS: That is where the  
 25 plug weld pulled up.

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1 BY MR. FAMULARI:  
 2 Q. After Henry was taken away did you  
 3 go down in the lazarette, you know, that  
 4 afternoon?  
 5 A. Yes.  
 6 Q. And what did you see?  
 7 A. It was just completely destroyed.  
 8 I mean, the plate was blown completely up, just  
 9 buckled.  
 10 Q. Were there any burn marks any  
 11 place?  
 12 A. No, no.  
 13 Q. Any soot marks?  
 14 A. No, no.  
 15 Q. Did you see any indication that  
 16 there was any kind of high heat in there?  
 17 A. No.  
 18 Q. I want to show you what is 13-J.  
 19 Yes, 13-J, the bottom picture. Can you tell us  
 20 what that is a picture of?  
 21 A. That is the pump.  
 22 Q. And what about the decking that is  
 23 there?  
 24 A. That is the deck in the cockpit.  
 25 This was the fish, live bait fish well. These

1 accident, the damage on the top of that?  
 2 A. That is where it hit the cross, the  
 3 beam on the upper deck.  
 4 Q. Now, is it your understanding that  
 5 these pumps were in the lazarette when the  
 6 explosion took place?  
 7 A. Yes, they were in there.  
 8 Q. Was there any indication that the  
 9 floor came up higher in certain areas than  
 10 others?  
 11 A. Definitely.  
 12 Q. And any particular reason?  
 13 A. The pumps --  
 14 MR. KALLEN: Object to the form.  
 15 BY MR. FAMULARI:  
 16 Q. Go ahead.  
 17 A. The pumps were under the beam,  
 18 moved towards amidships and they kept the plate  
 19 in that area from actually coming up.  
 20 Q. And if you know, where was Henry in  
 21 relation to where the pumps were?  
 22 A. Henry was laying next to the pumps.  
 23 Q. Is it safe to say that the pumps  
 24 somewhat protected Henry from --  
 25 A. Yes.

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1 were the three hatches here that were open.  
 2 MR. KALLEN: Point to the live bait  
 3 well again.  
 4 THE WITNESS: Yes.  
 5 MR. KALLEN: That is the circular  
 6 one in the middle.  
 7 THE WITNESS: Yes, I think that was  
 8 the live bait well.  
 9 BY MR. FAMULARI:  
 10 Q. And this would have been the  
 11 access, these would have been the access to the  
 12 inside of the lazarette?  
 13 A. Yes, yes, the three holes here.  
 14 This is the aft, the transom, towards the right.  
 15 Q. And this 13-L, the bottom picture,  
 16 that is one of the hydraulic pumps?  
 17 A. That is one of the pumps, the new  
 18 ones.  
 19 Q. And is that, looks like it is in a  
 20 horizontal position. Is that how it would have  
 21 been installed?  
 22 A. That is -- Yes, it's vertical.  
 23 Q. Vertical, excuse me?  
 24 A. Yes.  
 25 Q. And I am assuming this is after the

1 Q. From going --  
 2 A. Definitely.  
 3 Q. Mr. Watson, some of the speculation  
 4 that has been ongoing since this explosion  
 5 trying to find out what happened, one of the  
 6 questions that has come up has been concerning  
 7 some acetone that may or may not have been  
 8 spilled on the deck.  
 9 Do you recall anything about an  
 10 incident like that?  
 11 A. Nothing.  
 12 Q. When you put the new deck in the  
 13 lazarette and you installed it with bolts and  
 14 holes why did you do it like that?  
 15 A. So it could be removable and they  
 16 could have access to it.  
 17 Q. And whose decision was it to put it  
 18 in like that?  
 19 A. The yard. We didn't want to weld  
 20 it back in.  
 21 Q. Did Captain Bredbeck have any  
 22 involvement in that?  
 23 A. He agreed with the way that we  
 24 wanted to do it.  
 25 Q. And you say we wanted to do it. As

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1 a welding supervisor is that something that you  
 2 were directly involved in?  
 3 A. Yes.  
 4 Q. Do you have any idea whether Henry  
 5 had used a fire blanket at all when he was down  
 6 there welding in the lazarette?  
 7 A. I don't recall.  
 8 Q. Now, we know that afterwards, after  
 9 this took place Mark Tortora did an  
 10 investigation as safety director. Were you  
 11 involved at all in his investigation?  
 12 A. No.  
 13 Q. Did he discuss it with you, ask you  
 14 any questions?  
 15 A. Not really.  
 16 Q. Do you know if Mark Tortora ever  
 17 came up with any conclusions about the  
 18 explosion?  
 19 A. I can't recall.  
 20 Q. Were the hatches off in this  
 21 lazarette area where Henry was working, was that  
 22 a well lit area?  
 23 A. I think it was, yes.  
 24 Q. Do you know if Henry had any lights  
 25 down there or anything when he was working?

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1 A. He might have had a drop light, but  
 2 I don't recall.  
 3 Q. Do you recall the few times that  
 4 you were down there whether you ever brought a  
 5 light with you or used a light when you went  
 6 down there to do whatever you needed to do?  
 7 A. No, no, that was, it was pretty  
 8 well lighted.  
 9 Q. Just in general --  
 10 MR. KALLEN: Object to the form.  
 11 BY MR. FAMULARI:  
 12 Q. Was Captain Bredbeck directly  
 13 involved with the various welding projects that  
 14 Henry was doing on the vessel?  
 15 MR. KALLEN: Object to the form.  
 16 THE WITNESS: Yes.  
 17 BY MR. FAMULARI:  
 18 Q. After the explosion and the work  
 19 continued did Captain Bredbeck remain involved  
 20 with whatever welder took over for Henry?  
 21 MR. KALLEN: Object to the form.  
 22 THE WITNESS: Yes.  
 23 BY MR. FAMULARI:  
 24 Q. As a welder, Mr. Watson, is it  
 25 important to know whether there is a void space

1 where you are going to do some welding?  
 2 A. Yes.  
 3 Q. And is it safe to say that the  
 4 welder himself needs to be involved in finding  
 5 out what the area is like where he is welding?  
 6 A. Absolutely.  
 7 Q. In this particular case Henry had  
 8 been working on the vessel for a period of time,  
 9 is that correct?  
 10 A. Yes.  
 11 Q. And I assume Captain Bredbeck had  
 12 been working on the vessel or been on the vessel  
 13 during the several months of refit, is that also  
 14 correct?  
 15 A. Yes.  
 16 Q. You know if Henry was to ask  
 17 Captain Bredbeck about what was underneath that  
 18 deck in the lazarette, you know, as a welder, as  
 19 a shipyard competent person would you consider  
 20 that to be an adequate precaution taken by  
 21 Henry?  
 22 A. Yes.  
 23 MR. KALLEN: Object to the form.  
 24 BY MR. FAMULARI:  
 25 Q. Do you know if Captain Bredbeck was

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1 there on the day of the explosion?  
 2 A. Yes.  
 3 Q. Yes, he was there or yes you know?  
 4 A. I am pretty sure, pretty sure that  
 5 he was there.  
 6 Q. That is all for now.  
 7 MR. KALLEN: Mr. Watson, when this  
 8 accident happened.  
 9 THE WITNESS: Can I take a break?  
 10 MR. KALLEN: Sure.  
 11 CROSS-EXAMINATION  
 12 BY MR. KALLEN:  
 13 Q. Mr. Watson, when this accident  
 14 occurred in July of 1997 were you a shipyard  
 15 competent person?  
 16 A. Yes.  
 17 Q. Have you ever been ABS certified as  
 18 a welder?  
 19 A. No.  
 20 Q. In the trade courses that you  
 21 referred to earlier were any of those trade  
 22 courses in welding?  
 23 A. No.  
 24 Q. Do you remember your Bradford  
 25 employee I.D. Number?

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1 A. No.  
 2 Q. Why not?  
 3 A. Didn't know that we had one.  
 4 Q. Okay. Were you the welding foreman  
 5 when this job was occurring, was taking place?  
 6 A. Yes.  
 7 Q. You were?  
 8 A. Yes.  
 9 Q. Who was your assistant?  
 10 A. Didn't have one.  
 11 Q. Why not?  
 12 A. I was basically leaving the company  
 13 at that point.  
 14 Q. Why?  
 15 A. To start my own business. I was  
 16 just interim till they hired a few foreman.  
 17 Q. For how long had you been welding  
 18 foreman as of July of 1997?  
 19 A. Four years.  
 20 Q. When did you leave Bradford?  
 21 A. I didn't leave until last year. I  
 22 went to the Bahamas to work. I stayed two  
 23 years, more years.  
 24 Q. What happened to the company that  
 25 you were starting?

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1 A. They made me an offer that I  
 2 couldn't refuse.  
 3 Q. When did you go to the Bahamas?  
 4 A. November 17th, seems like it is  
 5 '97.  
 6 Q. Was that the offer that you  
 7 couldn't refuse to go to the Bahamas?  
 8 A. That and the money too.  
 9 Q. Who took your place as welding  
 10 foreman?  
 11 A. Jerry -- I can't remember his last  
 12 name.  
 13 Q. As of the date of this accident in  
 14 July of 1997 had you received any training at  
 15 Bradford with respect to OSHA regulations  
 16 dealing with welding?  
 17 A. No.  
 18 Q. Prior to going to work at Bradfod  
 19 had you ever received any training concerning  
 20 OSHA regulations for welding?  
 21 A. Yes.  
 22 Q. Where?  
 23 A. Hickson Corporation.  
 24 Q. Give me the approximate year?  
 25 A. '91, I think, '91 or '92.

1 Q. Where is that, Hicks?  
 2 A. Hickson is in Atlanta.  
 3 Q. Is that a marine facility?  
 4 A. No, it was a chemical plant.  
 5 Q. Had you ever received any training  
 6 on OSHA regulations dealing with welding on  
 7 board vessels prior to this incident?  
 8 A. Not training other than reading  
 9 some of the regulations.  
 10 Q. In your spare time?  
 11 A. Uh-huh.  
 12 Q. Yes?  
 13 A. Yes.  
 14 Q. As of the date of this accident  
 15 were you familiar with the NFPA provisions  
 16 regarding welding on board vessels?  
 17 A. Vaguely.  
 18 Q. Do you know what NFPA is?  
 19 A. National Fire Prevention -- I don't  
 20 know.  
 21 Q. When you say vaguely, what do you  
 22 mean by that?  
 23 A. Tank entry.  
 24 Q. Okay, that is about it?  
 25 A. Yes, hot work as far as in tanks.

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1 Q. As the welding foreman were you not  
 2 responsible for making sure that whatever  
 3 welding job was to be done was in accordance  
 4 with OSHA regulations before it was actually  
 5 done?  
 6 A. We worked more with the chemist.  
 7 Q. Okay, so you would rely on the  
 8 marine chemist?  
 9 A. Right.  
 10 Q. How would you know whether or not  
 11 to call in a marine chemist before starting a  
 12 welding job?  
 13 A. Any kind of tank work, engine room  
 14 confinement. You know, where there is a lot of  
 15 grease and stuff.  
 16 Q. Sitting here today do you know for  
 17 a fact that before starting this particular  
 18 welding job in the lazarette it did not require  
 19 the intervention of a marine chemist? Do you  
 20 know one way or the other?  
 21 MR. FAMULARI: Object to the form.  
 22 THE WITNESS: I don't recall.  
 23 BY MR. KALLEN:  
 24 Q. Now, as I understand it before this  
 25 work that Henry was doing at the time of the

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1 explosion actually occurred, before he even lit  
2 the torch that day you knew the work that he was  
3 going to do down there; is that correct?

4 A. Yes, during the course of the day,  
5 yes.

6 Q. Okay, now, did this particular job,  
7 the fabrication of the doublers and the welding  
8 of the doublers on to the deck, was that  
9 something that was, that came up that morning or  
10 that, or had that been something that had been  
11 discussed days before?

12 A. Seem to recall sometime in the  
13 morning.

14 Q. Okay. In order to complete that  
15 task as I understand it Henry had to actually  
16 fabricate the two aluminum plates?

17 A. Yes.

18 Q. Now, when you refer to doublers is  
19 that what we are talking about?

20 A. Yes.

21 Q. So he had to go back to the welding  
22 shop and fabricate these two plates?

23 A. Yes.

24 Q. And you knew that is what he was  
25 doing?

1 foreman had every right and authority and  
2 prerogative to say we are not doing it that way,  
3 correct?

4 A. Correct.

5 Q. So the ultimate decision to do that  
6 welding work that day was really yours?

7 MR. FAMULARI: Object to the form.

8 BY MR. KALLEN:

9 Q. Because if you didn't feel it was  
10 safe, it wasn't being done until proper  
11 precautions were taken, correct?

12 MR. FAMULARI: Object to the form.

13 BY MR. KALLEN:

14 Q. You can answer?

15 A. Yes.

16 Q. It wasn't the captain's decision to  
17 tell Henry how to do a job, a particular weld,  
18 was it?

19 A. No.

20 Q. That is the welder's job?

21 A. Right.

22 Q. You wanted to make sure that the  
23 plates were going to be positioned properly in  
24 there?

25 A. Right.

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1 A. Yes.

2 Q. And you approved that?

3 A. Yes.

4 Q. And then ultimately he was going to  
5 weld these plates down on to the deck?

6 A. Yes.

7 Q. Is this a job that you would  
8 consider what you referred to earlier as a  
9 little job that did not require your approval,  
10 authorization or inspection before it was being  
11 performed?

12 A. Yes.

13 Q. But nevertheless you still were  
14 aware of it?

15 A. Yes.

16 Q. And you still took the time to look  
17 at the lazarette before Henry lit the torch?

18 A. Yes.

19 Q. Okay, and you wanted to make sure  
20 that or satisfy yourself that it was safe to  
21 weld before Henry started?

22 A. That and look at the position of  
23 the, wherever they were putting the pumps.

24 Q. And if you felt that it was in any  
25 way unsafe what Henry was going to do you as the

1 Q. That was your decision or Henry's  
2 decision?

3 A. Yes, that was our decision. He  
4 wanted to show me where they were putting them.

5 Q. So what we are talking about as far  
6 as the captain's involvement here, if you will,  
7 is nothing more than his desire, his request,  
8 his want, if you will --

9 A. Right.

10 Q. -- To have these things done?

11 A. Right.

12 Q. But as far as how to do it  
13 properly, how to actually set the amperage on  
14 the machine, where to put the welds, that is not  
15 the captain's job or decision, is it?

16 A. No, no.

17 Q. Do you know why the plates were  
18 fabricated?

19 A. The plates, there was really  
20 nothing to bolt the plates, the pumps to. They  
21 were not thick enough.

22 Q. What wasn't thick enough?

23 A. The plates in the lazarette.

24 Q. You mean the actual deck in the  
25 lazarette?



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1 A. The deck, yes.  
 2 Q. Or the subfloor as it has been  
 3 referred to?  
 4 A. Right.  
 5 Q. Why did it matter if the deck  
 6 wasn't thick enough?  
 7 A. The pumps were heavy. They weighed  
 8 a few pounds.  
 9 Q. So?  
 10 A. And a rolling, in a rolling sea the  
 11 screws, the fasteners would come loose and pull  
 12 through the deck and the pumps were heavy.  
 13 Q. Oh, so you needed some more support  
 14 for the pumps?  
 15 A. Yes.  
 16 Q. Is that it?  
 17 A. That is it.  
 18 Q. Because of the thinness or lack of  
 19 thickness, if you will, of the deck?  
 20 A. Yes.  
 21 Q. Well, why would that matter if the  
 22 deck was resting flush on concrete?  
 23 A. You got a half inch bolt or so that  
 24 holds the pump down. You don't have any metal  
 25 to tap to it.

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1 If you tap the deck, you try to  
 2 screw it in the deck he didn't have enough  
 3 meat. The bolt was bigger than what you had as  
 4 far as the thickness of the plate there.  
 5 Q. Wouldn't the concrete serve as the  
 6 meat?  
 7 A. No.  
 8 Q. Why not?  
 9 A. There is just nothing to grab to on  
 10 there.  
 11 Q. Do you know if an effort was made  
 12 first to see if the pumps would adequately be  
 13 supported by the deck on the concrete before the  
 14 decision was made to have plates installed?  
 15 A. We knew that the deck wasn't thick  
 16 enough to support them.  
 17 Q. How do you know that?  
 18 A. Just the thickness of the metal.  
 19 Q. How do you know that?  
 20 A. Experience, I knew -- The way they  
 21 build those boats there is no way that it could  
 22 have been half inch plate back there.  
 23 You can tell by the oil can on the  
 24 deck when you stepped on it.  
 25 Q. So you could tell just from being

1 on that boat plus your years of experience  
 2 beforehand that that aluminum deck in the  
 3 lazarette where the subfloor is wasn't thick  
 4 enough to hold these pumps?  
 5 A. Yes.  
 6 Q. So you made that or could have made  
 7 that decision independently of what anyone else  
 8 told you?  
 9 A. Yes.  
 10 Q. You knew that?  
 11 A. Yes, it just wouldn't work.  
 12 Q. Okay, so you had no problem with  
 13 the idea of, if this guy wants pumps installed,  
 14 aluminum plates to be or doublers to put on  
 15 there, that is a good way to go?  
 16 A. Yes, that was a common practice,  
 17 installing pumps like that.  
 18 Q. Did you as the welding foreman ever  
 19 ask the captain to see the ship's plans or  
 20 blueprints?  
 21 A. No.  
 22 Q. Were you aware that they were on  
 23 board?  
 24 A. Most boats carry them.  
 25 Q. Yes, so if you had a question about

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1 the location of certain lines or spaces or  
 2 something that may be on the other side of a  
 3 wall that you are welding, you knew that the  
 4 plans were likely available to inspect to  
 5 satisfy any questions that you had?  
 6 A. Yeah.  
 7 Q. Are you positive that this  
 8 particular job as far as the fabrication of the  
 9 plates and the welding of the plates came up  
 10 that morning or could have been the day or two  
 11 before?  
 12 A. May have been the day before, but I  
 13 don't remember some discussions that morning.  
 14 Q. How did it come to your attention  
 15 that this job was requested?  
 16 A. Talked to Henry about it. Henry  
 17 came to me and I talked to him.  
 18 Q. So before any, any of the job even  
 19 started you were called to intervene?  
 20 A. Well, he came back to the shop and  
 21 told me what he was doing.  
 22 Q. Okay. Were these aluminum sheets  
 23 pulled out of the material shop or did you have  
 24 them planted around the, laying around the  
 25 welding shop?

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1 A. We had a plate rack. I don't  
2 recall if he cut them out of the big full  
3 sheets.

4 Q. To your recollection was this the  
5 first welding job performed in the lazarette?

6 A. I can't recall.

7 Q. Were you on the boat that morning  
8 or day prior to the explosion?

9 A. Several times.

10 Q. For what purpose?

11 A. Just looking at the job, see how  
12 the jobs were going.

13 Q. Welding jobs?

14 A. Yes.

15 Q. So there were other welding jobs  
16 being done on the boat that day prior to the  
17 explosion?

18 A. Just some small stuff that Henry  
19 was working on. I think we were through with  
20 the bigger projects.

21 Q. Did you have the opportunity to  
22 speak with the marine chemist after this  
23 incident?

24 A. Yes.

25 Q. Do you know what his opinions or

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1 thoughts were about what had happened?

2 A. He wasn't sure. He had a theory  
3 about maybe some methane gas had built up in  
4 there or sea water, as I recall.

5 Q. I am sorry, I didn't mean to cut  
6 you off.

7 Do you recall him having a  
8 criticism about no one calling him out ahead of  
9 time?

10 A. No.

11 Q. The welding machine, what is the  
12 make or manufacturer?

13 A. It is a Regency 250.

14 Q. Regency 250?

15 A. Yes.

16 Q. Is that a tig machine?

17 A. It is a mig.

18 Q. And just for our purposes, since we  
19 are not really familiar with that, a mig is  
20 what?

21 A. A wire feed, one pound spool  
22 aluminum.

23 Q. Do those machines have to be tested  
24 or inspected or calibrated every so often to  
25 make sure that the amperage reading is

1 consistent with what the actual heat is, is  
2 that --

3 A. No.

4 Q. No?

5 A. No.

6 Q. So in your experience at Bradford  
7 this particular machine had never been inspected  
8 or tested?

9 A. No.

10 Q. Is that correct?

11 A. That is correct.

12 Q. Do you know how long this  
13 particular machine had been in use at the time  
14 of the accident?

15 A. Maybe a year or two.

16 Q. Did Bradford employ a tag out  
17 policy or, you know what I am referring to?  
18 When you utilize a machine you put a tag on it?

19 A. Not for wedding machines. On  
20 electrical panels, yes.

21 Q. Was this electrically generated or  
22 fuel generated?

23 A. Electrical.

24 Q. Was it marine grade?

25 A. The wire or the machine?

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1 Q. The machine?

2 A. Yeah, I would think so.

3 Q. Do you know for sure?

4 A. It is, you know, it is a standard  
5 in the industry.

6 Q. Do you know for sure?

7 A. I couldn't say.

8 Q. Why did you ultimately leave the  
9 employ of Bradford, I guess the Bahamian yard?  
10 That was your last stop at Bradford right?

11 A. Yes, I got island fever. I  
12 couldn't stay over there any more after two  
13 years.

14 Q. And then from there you went to  
15 Merrill Stevens?

16 A. I took a couple of months off and  
17 then went, came to work here.

18 Q. Did you join Merrill Stevens as a  
19 yard superintendent for the south yard?

20 A. Yes.

21 Q. Where is the south yard?

22 A. It is on the south side of the  
23 river.

24 Q. Is there a north yard?

25 A. Yes, that is the big yard.

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1 Q. What kind of work is done at the  
2 south yard?  
3 A. The same thing Bradford does,  
4 bottom paint, fiberglass.  
5 Q. Any refits like this type of  
6 project that we are talking about?  
7 A. Yes, they do but on a smaller  
8 scale.  
9 Q. And when you say smaller scale, you  
10 mean in timewise or smaller ships?  
11 A. Smaller boats, yes.  
12 Q. What is the maximum boat, size boat  
13 that you handle at the south yard?  
14 A. I can take 85 foot, 70 tons.  
15 Q. When you did the repairs in the  
16 lazarette after this explosion did you leave the  
17 void space in, underneath?  
18 A. Voids underneath and air holes cut  
19 in it, yes.  
20 Q. So the modification, if you will,  
21 that you made afterwards that was not there  
22 before was what?  
23 A. It has, it has got air holes in it,  
24 places where it can vent out.  
25 Q. And the purpose for that is what?

1 full, seal welded?  
2 A. Yes.  
3 Q. And plug welded?  
4 A. Yes, plug welded on the frames.  
5 Q. Can you first of all tell me what  
6 you mean by full seal welded? I don't know what  
7 that means?  
8 A. It had a complete weld all the way  
9 around the bulkhead, engine room. Not engine  
10 room, but it's sealed completely around, all of  
11 the seams were welded completely up.  
12 Q. Was the seem of this deck simply  
13 around the circumference of the deck or were  
14 there seams throughout the deck itself?  
15 A. I don't recall any seams or splits  
16 that the plate itself, but there could have,  
17 they could have been put in in one piece or two  
18 pieces.  
19 Q. When you say full seal welded you  
20 are referring to the outer edges of the deck  
21 being sealed into the bulkhead in some fashion?  
22 A. Yes, uh-huh.  
23 Q. Or the bulkheads around it?  
24 A. Yes.  
25 Q. And when you say plug welded what

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1 A. Just to avoid any gases getting  
2 trapped in there.  
3 Q. Isn't there a way of determining  
4 whether or not there is a void space on either  
5 a, behind either a wall or a deck that you are  
6 about to weld on?  
7 A. Not without physically taking --  
8 after you thought there was a false back head  
9 you would have to do measurements. Without any  
10 access that is normally -- You would have to  
11 somehow measure it.  
12 Q. Or look at the plans?  
13 A. Yeah.  
14 Q. As a welder don't you want to  
15 insure yourself what is on the other side of a  
16 wall, bulkhead or a deck before you weld?  
17 A. Yes, we do that.  
18 Q. Okay, and you are saying just by  
19 simply asking the captain that is enough  
20 insurance?  
21 A. That is hard for me to answer.  
22 Q. Okay. Now, when you say, and I am  
23 not sure if I heard you correctly, maybe it is  
24 your accent, that the deck and I guess you were  
25 referring to the lazarette deck, the deck was

1 does that mean?  
2 A. It is a weld where they like on the  
3 frames for the plate lies on top of it and you  
4 cut a groove in it over the top of the frame and  
5 you, you plug weld the plate to the frame.  
6 Q. So the deck itself is a, is plated?  
7 A. Yes.  
8 Q. And each plate is welded into the  
9 frame below?  
10 A. Right.  
11 Q. And typically these frames or  
12 members are wood or no, I don't know?  
13 A. Aluminum.  
14 Q. Aluminum?  
15 A. Yes.  
16 Q. And typically are the frames solid,  
17 athwartships port to starboard or are there  
18 spaces in between the frames?  
19 A. The frames go athwartships.  
20 Q. Okay, and typically is it one solid  
21 frame from one side to the other or are there  
22 spaces in between the frames?  
23 A. It is according to the  
24 application. These went all the way across and  
25 there was longitudinals put in, if I recall.

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1 Q. Do you understand what I'm saying?  
 2 A. Right.  
 3 Q. I am not sure if I am asking the  
 4 question correctly. But, you know, is it one  
 5 solid frame? If you are looking at it one solid  
 6 frame sheet of aluminum under the deck from the  
 7 port side across to the starboard side?  
 8 A. Right.  
 9 Q. Or are these frames individual  
 10 frames connected with spaces in-between?  
 11 A. Yes, the frames like you say go  
 12 athwartships. It is angle iron.  
 13 Q. Okay.  
 14 A. And the angle is shaped in the  
 15 bottom of the hull. So they go athwartships.  
 16 Q. I understand. And I am going to  
 17 have to apologize, I assume you're answering my  
 18 question, but in all candor maybe I don't  
 19 understand your answer.  
 20 A. Right.  
 21 Q. Again just for my own  
 22 understanding, there are spaces in between the  
 23 frames as they go athwartship or is it one solid  
 24 frame from one side to the other?  
 25 MR. VALDES: Are you talking about

1 frames?  
 2 A. Correct.  
 3 Q. So -- Go ahead.  
 4 A. In this case I can't remember with  
 5 this extension if they ran them fore and aft,  
 6 though.  
 7 Q. Either way?  
 8 A. I can't recall.  
 9 Q. Whether it was fore and aft or side  
 10 to side, there are spaces in between the frames?  
 11 A. Yes.  
 12 Q. That the deck is plug welded on to?  
 13 A. Yes, yes.  
 14 Q. So there are void spaces in between  
 15 the frames?  
 16 A. Yes.  
 17 Q. And you knew that before any  
 18 welding is done on this deck, correct?  
 19 A. Yes.  
 20 Q. Let me have the pictures, Manny?  
 21 MR. VALDES: I object.  
 22 MR. FAMULARI: I want the pictures  
 23 back.  
 24 MR. VALDES: I'll object to that  
 25 last question.

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1 the deck plate on top?  
 2 BY MR. KALLEN:  
 3 Q. No underneath?  
 4 A. Underneath they go completely  
 5 across.  
 6 Q. Are there spaces in between the  
 7 frames under the deck?  
 8 A. Between fore and aft there are.  
 9 Q. Yes?  
 10 A. Yes.  
 11 Q. Okay, and the deck is welded down  
 12 on to that?  
 13 A. On top. You are saying  
 14 athwartships, that is across. That is the best  
 15 that I can remember.  
 16 Q. Well, fore and aft?  
 17 A. Fore and aft as you got frame  
 18 numbers and they build all boats with a, what  
 19 they call them frame numbers.  
 20 Q. And the aluminum deck sits --  
 21 A. Right on top.  
 22 Q. And it's welded or plug welded on  
 23 to these frames?  
 24 A. That is correct.  
 25 Q. But there are spaces in between the

1 MR. KALLEN: Your objection is  
 2 noted.  
 3 MR. VALDES: It is misleading, as  
 4 was your direct examination.  
 5 BY MR. KALLEN:  
 6 Q. Prior to this deposition today, Mr.  
 7 Watson, did you have the opportunity to meet Mr.  
 8 Famulari and Mr. Valdes?  
 9 A. Months ago.  
 10 Q. Months ago. And where was that?  
 11 A. At my house.  
 12 Q. And where is that? Is that the  
 13 same address that you gave us before?  
 14 A. No, no, this was in Fort  
 15 Lauderdale.  
 16 Q. Okay, did you give them any type of  
 17 written statement?  
 18 A. No.  
 19 Q. When you met with them were they  
 20 taking notes of what you were telling them?  
 21 A. I don't recall.  
 22 Q. How long was the meeting?  
 23 A. Maybe an hour.  
 24 Q. Have you since spoken with either  
 25 one of them about your testimony today?

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1 A. Only as far as when we were going  
2 to do the deposition.  
3 Q. Can you tell from looking at  
4 photograph 13-C on the top how thick this  
5 doubler plate is?  
6 A. Looks like half inch.  
7 Q. How long would it take to fabricate  
8 two of those, and in this case if you know how  
9 long did it take?  
10 A. Probably a couple of hours a  
11 piece. By the time that you drill and tap them.  
12 Q. You are looking basically four  
13 hours of work just to fabricate two of these?  
14 A. By the time that you clean them up,  
15 yes.  
16 Q. Was some type of work slip or work  
17 order filled out prior to Henry starting this  
18 work?  
19 A. I don't think so.  
20 Q. Wasn't that proper procedure at  
21 Bradford?  
22 A. Sometimes we run fast and I wind up  
23 taking care of that in the afternoon when the  
24 guys have left.  
25 They would submit the description

1 A. Yes, we had safety meetings, just  
2 general yard meetings.  
3 Q. And was the welding department  
4 provided any type of safety manual that  
5 contained OSHA regulations?  
6 A. Not that I recall. I can't recall.  
7 Q. Did the welding department ever  
8 hold safety meetings, just the welding  
9 department?  
10 A. I can't recall.  
11 Q. Would there have been a number, a  
12 job number assigned to the job that Henry was  
13 doing in the lazarette?  
14 A. Yes.  
15 Q. Do you remember after the fact at  
16 the end of the day or the next day setting up a  
17 job number for this work?  
18 A. I can't recall.  
19 Q. Now, how would you know what job  
20 number to assign to it?  
21 A. I would take the next number.  
22 Q. How would you know what the next  
23 number was?  
24 A. We carry the filing at the  
25 foreman's office and we go out and pick out the

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1 and I would get the work order out.  
2 Q. Was there some type of rush going  
3 on with this project at the time?  
4 A. No, not that I can recall.  
5 Q. Did Mr. Naranjo have a fire watch  
6 at the time that he was welding on this job?  
7 A. I don't think so.  
8 Q. Do you know one way or the other  
9 whether it was required?  
10 A. I can't recall. It was in a very  
11 open area.  
12 Q. When you say a very open area, we  
13 are talking about an area that was below deck,  
14 was it not?  
15 A. Yes.  
16 Q. And, yes, there were a couple of  
17 hatches that were removed from the deck above,  
18 but it was still an area below deck, was it not?  
19 A. Yes.  
20 Q. Prior to this particular incident  
21 can you recall there being any type of safety  
22 meetings, whether they were just welding  
23 department safety meetings or general yard  
24 safety meetings where OSHA requirements were  
25 discussed?

1 next number.  
2 Q. And it goes in consecutive order?  
3 A. Yes.  
4 MR. KALLEN: I have nothing else  
5 RECROSS-EXAMINATION  
6 BY MR. WEBER:  
7 Q. Just a couple. You are not a  
8 marine architect, are you?  
9 A. No.  
10 Q. A naval architect?  
11 A. No.  
12 Q. You don't have any particular  
13 expertise in the design of boats?  
14 A. No.  
15 Q. My statement is correct?  
16 A. Correct.  
17 Q. Let me make sure that I understand  
18 about the work Bradford did after this  
19 explosion.  
20 Essentially you fastened this  
21 aluminum deck back down, is that correct?  
22 A. Correct.  
23 Q. And the only difference is I think  
24 you said that you bolted it down?  
25 A. Correct.



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1 Q. At least in some places, is that  
2 right?  
3 A. Yes, completely around the  
4 perimeter.  
5 Q. Okay, so when you talked about it  
6 being welded around the perimeter, that is the  
7 way that it was initially?  
8 A. Initially it was welded around.  
9 Q. All right, you didn't do that when  
10 you put it back in after the explosion?  
11 A. No, all bolted.  
12 Q. I see. And did you plug weld?  
13 A. No, no.  
14 Q. So the only way that this aluminum  
15 decking was put back in or fastened was through  
16 the bolting?  
17 A. Correct.  
18 Q. And then the other thing I think  
19 you said is that you put some air holes in?  
20 A. Yes, and I think there is an  
21 opening in the front where there is access  
22 towards the forward bulkhead where you can get  
23 in there.  
24 Q. Did you make that opening?  
25 A. Yes.

1 A. After I replaced it?  
2 Q. Right?  
3 A. Yes, I mean, it wouldn't be  
4 watertight.  
5 Q. All right, and it was watertight  
6 before the explosion?  
7 A. Yes.  
8 Q. Meaning this gap between the  
9 aluminum decking and the top of the cement was  
10 watertight?  
11 A. Yes.  
12 Q. Now, you talked a little bit about  
13 Henry's experience or expertise, I should say.  
14 And you mentioned something about  
15 him being an expert in welding aluminum?  
16 A. Aluminum.  
17 Q. Is there any special designation  
18 that welders can get that designates them as an  
19 expert in welding aluminum?  
20 A. Only certification -- different  
21 positions and stuff. You can be certified tig  
22 or mig.  
23 Q. Do you know if he had any such  
24 certification?  
25 A. I think Henry was ABS.

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1 Q. How big is that opening?  
2 A. I can't recall.  
3 Q. Give me some idea, is it the size  
4 of a dime, the size of a half dollar, what is  
5 it?  
6 A. I would think, I think I remember  
7 putting some two inch holes in there plus there  
8 is a -- I can't remember the size of it.  
9 Q. How many two inch holes did you put  
10 in?  
11 A. I can't recall.  
12 Q. Where did you put the holes, on top  
13 of the aluminum decking?  
14 A. Up forward. Where the water lays,  
15 lays in the, towards the forward bulkhead.  
16 Q. How many holes did you put in  
17 there?  
18 A. I don't remember.  
19 Q. Was it more than five?  
20 A. No.  
21 Q. Fewer than five?  
22 A. I can't recall.  
23 Q. Do I understand from your testimony  
24 that after you replaced at aluminum decking that  
25 it was no longer watertight?

1 Q. But ABS doesn't have anything to do  
2 with being an expert in welding aluminum, does  
3 it?  
4 A. He is certified 6-G in aluminum.  
5 Q. What does that mean?  
6 A. It is the American Society of  
7 Welding, one of their tests. You can certify  
8 6-G in carbon steel, stainless steel, aluminum.  
9 It is just a test, a position test.  
10 Q. And what does 6-G mean?  
11 A. I couldn't tell you, it's just a  
12 position where you weld a piece of pipe and you  
13 do the pipe test. If you pass you are covered  
14 for all of your plate work.  
15 Q. Do you know when he got that  
16 certification?  
17 A. Before I got to Bradford.  
18 Q. You have actually seen his  
19 certification?  
20 A. I have seen it in the office. I  
21 have had to present it to Lloyds people and ABS  
22 people.  
23 Q. Is that something that you have to  
24 periodically renew?  
25 A. I don't think so.

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1 Q. In other words, if you don't do  
2 something whether it be take a test or --  
3 A. Normally what happens if you go to  
4 another company or go to another project they  
5 recertify you.  
6 Q. Does that certification lapse after  
7 a certain amount of time, if you know?  
8 A. I don't think it does.  
9 Q. Do you know?  
10 A. I don't know for a hundred percent.  
11 Q. Are you 6-G certified in aluminum?  
12 A. No.  
13 Q. Are you certified 6-G in anything?  
14 A. Years ago, but -- you know, that  
15 was just going to particular jobs and projects,  
16 they certify you for the project.  
17 Q. They certified you for a project?  
18 A. Yes, a lot. When they are  
19 building, industrial plants do that.  
20 Q. Well, doesn't that -- You are  
21 certified then forever?  
22 A. Most companies, they keep your  
23 certification because they pay for it. Like  
24 with Henry, Bradford paid for his. So if he  
25 left you would have to recertify again.

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1 Q. You mentioned that one of the major  
2 things that the owner or the captain wanted done  
3 on this boat was to repair a fuel leak?  
4 A. That was a leak in a fuel tank that  
5 was a small weep.  
6 Q. Where was the fuel tank located?  
7 A. Amidships. And -- Around the, one  
8 of the aft staterooms in there. Or one of the  
9 staterooms. I remember in the hallway where the  
10 leak was.  
11 Q. Do you know how long it took to  
12 repair that?  
13 A. Maybe a few hours.  
14 Q. You mentioned that OSHA regulations  
15 were discussed at safety meetings with welders,  
16 is that true?  
17 A. Not -- With welders, but in the, in  
18 the company itself, the company meetings.  
19 Q. And welders were at those meetings?  
20 A. OSHA regulations were discussed. I  
21 can't recall if welding specifically or --  
22 Q. For instance, do you know the OSHA  
23 regulations on welding in confined spaces, as an  
24 example?  
25 A. I can't recall.

1 Q. Do you know if Bradford Marine had  
2 a, had a multi gas tester back in July of 1997?  
3 A. I don't recall.  
4 Q. Do you know what a multi gas tester  
5 is?  
6 A. Yes.  
7 Q. What is it?  
8 A. To check for explosive gases. And  
9 we had, I think, I think we had an oxygen  
10 meter. I can't say specifically that date.  
11 Q. Is that something that as a  
12 shipyard competent person you have used in the  
13 past?  
14 A. I have trained on it.  
15 Q. Okay.  
16 A. According to my training you didn't  
17 actually do that other than to check it after  
18 the chemist had been there.  
19 Q. All right, so you have a situation  
20 where the chemist would come out, certify a  
21 particular what, a particular space?  
22 A. Space or tank, yeah.  
23 Q. As being free of gas?  
24 A. Right.  
25 Q. But it would be incumbent upon you

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1 to periodically check that in succeeding days?  
2 A. Yes, check it.  
3 Q. And if something were to change, if  
4 it boat were to be moved or something like that?  
5 A. You would have to call the chemist  
6 back.  
7 Q. You would have to call the chemist  
8 back?  
9 A. Yes.  
10 Q. All right. Now, my question is,  
11 did you ever have occasion to use the multi gas  
12 tester?  
13 A. I didn't.  
14 Q. How come?  
15 A. I don't recall.  
16 Q. There has been testimony in this  
17 case that welders at Bradford were trained to  
18 either go to their foreman which would be you  
19 back in 1997 or somebody like Mr. Tortora if  
20 they observed a particular or potential danger  
21 in a confined space for welding. Would you  
22 agree with that?  
23 A. I'd agree with that.  
24 Q. That was the welder's  
25 responsibility, correct?

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1 A. Yes.

2 Q. Seems pretty clear that an  
3 explosion occurred back in July of 1997. Do you  
4 have any idea what exploded?

5 A. Only a theory of just methane gas,  
6 some type of gas that had built up in that  
7 space.

8 Q. Do you know for sure that that is  
9 what happened?

10 A. Absolutely not.

11 Q. You would be speculating as to what  
12 did in fact explode?

13 A. I would be speculating.

14 Q. I may have missed this and I think  
15 attorney Kallen asked you. I know that you left  
16 the Fort Lauderdale Bradford yard to go to the  
17 Bahamas for a couple of years.

18 A. Right.

19 Q. But when you -- Why did you leave  
20 the Bahamas?

21 A. Just, you get tired of it.  
22 Couldn't make enough money over there. The cost  
23 of living over there plus the work that, the  
24 work ethic over there and you just get island  
25 fever. I just had enough.

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1 Q. I am from Wisconsin. I could use a  
2 little island fever right about now.

3 (Discussion off the record.)

4 BY MR. WEBER:

5 Q. Forgive me, but why didn't you just  
6 come back to the Fort Lauderdale yard of  
7 Bradford then?

8 A. I didn't want to work for Bradford  
9 anymore. It is just -- Either moving on and  
10 working for myself. I didn't even know that I  
11 wanted to work in boats for a long time.

12 Q. Did you leave Bradford on good  
13 terms?

14 A. Think so. Most of the people, we  
15 get along good.

16 Q. Aren't you basically in the same  
17 industry now?

18 A. Yes, just competitors.

19 Q. Yard competitors?

20 A. There was a period I didn't know if  
21 I wanted to work on boats. A lot of things  
22 going on.

23 You know, I might want to do  
24 commercial work, industrial again.

25 Q. Can you think of any other way that

1 an explosion would have occurred other than the  
2 fact that this aluminum deck was penetrated by  
3 the welder?

4 A. Not -- I just don't know.

5 Q. Do you know one way or the other if  
6 this aluminum deck was in fact penetrated by the  
7 welder?

8 A. I don't know that either.

9 Q. Do you know what I mean by  
10 penetrated?

11 A. Blew a hole in it.

12 Q. Yes, blew a hole and somehow got  
13 to, to this alleged gas that was beneath the  
14 aluminum surface and to the cement deck?

15 A. Yes, but the problem is that, the  
16 heat from the weld would have done the same  
17 thing. So --

18 Q. Pardon me, I didn't catch that.

19 A. The heat from the weld would have  
20 almost done the same thing as far as the  
21 temperature, whether it blew through or whether  
22 the temperature would have had to have ignited  
23 it.

24 So I can't speculate whether it  
25 blew through or not.

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1 Q. It would be speculation for you to  
2 say one way or the other?

3 A. Yes.

4 Q. Do you know how thick the aluminum  
5 deck was?

6 A. I think it was three sixteenths of  
7 an inch.

8 Q. Is that also speculation?

9 A. I am pretty positive about that.

10 Q. You talked a little bit about a  
11 conversation that Henry Naranjo had with the  
12 captain?

13 A. Right.

14 Q. And Henry relayed that conversation  
15 to you, is that correct?

16 A. That is correct.

17 Q. You weren't privy, in other words,  
18 you weren't there when that conversation took  
19 place?

20 A. No, no.

21 Q. So you don't really know what was  
22 discussed between the captain and Henry other  
23 than what Henry told you?

24 A. Yes, he showed me what he wanted  
25 and I think that I was around Jack enough that

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1 had it not been what he wanted he would have, we  
2 would have had some conversation about it.

3 Q. And it's my understanding that  
4 Henry had asked him, at least this is the  
5 testimony so far, that Henry had asked the  
6 captain if there were any fuel lines?

7 A. Yes, that is my understanding.

8 Q. Do you know if he asked him  
9 anything else?

10 A. What was in there.

11 Q. And what was the captain's  
12 response?

13 A. According to Henry there was  
14 nothing in there.

15 Q. Do you know if Henry specifically  
16 asked the captain if the cement went all the way  
17 up to the aluminum deck?

18 A. I can't recall.

19 Q. How would you say Henry's English  
20 is?

21 A. It's pretty good.

22 Q. Does the captain speak Spanish, to  
23 your knowledge?

24 A. I don't remember.

25 Q. That is all that I have for right

1 vessels all these years have you ever run across  
2 a situation where there was such a void space  
3 that was, seam welded like that that wasn't  
4 going to be used as a tank?

5 A. No, never.

6 Q. To your knowledge did the captain  
7 approve of the plate work of Henry taking those  
8 plates down before the explosion?

9 MR. KALLEN: Object to the form.

10 BY MR. FAMULARI:

11 Q. If you know?

12 A. Yes, if he had had any objections  
13 he would have, the captain would have talked to  
14 me.

15 Q. Did the captain have the authority  
16 to stop Henry from working on the vessel if he  
17 didn't approve of what Henry was doing?

18 A. Yes.

19 Q. Or any worker in particular?

20 A. Yes, yes.

21 Q. Do you think it was, under the  
22 circumstances as you know them that happened  
23 here, forgetting that there was an explosion  
24 that took place because that is hindsight, do  
25 you think it was proper for Henry to rely upon

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1 now.

2 REDIRECT EXAMINATION

3 BY MR. FAMULARI:

4 Q. I've got a couple of follow-ups,  
5 Mr. Watson. After the explosion took place and  
6 you took the deck out of there to put the new  
7 plates in, did you come to find out how much of  
8 a void space there actually was?

9 A. I remember between two to three  
10 inches.

11 MR. KALLEN: Say that again.

12 THE WITNESS: Two to three inches.

13 MR. VALDES: Between the cement and  
14 the top plate?

15 THE WITNESS: Yes.

16 MR. VALDES: That would be the  
17 entire lazarette in the back.

18 THE WITNESS: That is correct.

19 BY MR. FAMULARI:

20 Q. When you went down in the lazarette  
21 prior to the explosion did you pick up any  
22 indications that there was a void space under  
23 the, under that decking to the lazarette?

24 A. No.

25 Q. In your experience in working on

1 the captain's knowledge about what was under  
2 there?

3 MR. KALLEN: Object to the form.

4 BY MR. FAMULARI:

5 Q. You can answer?

6 A. I think in that application, yes.

7 Q. You had testified earlier when John  
8 Kallen was asking you about how the ribbing was  
9 set up and the lazarette, in the lazarette. Did  
10 you have any of that knowledge before the  
11 explosion took place?

12 A. No.

13 Q. That was something that you found  
14 out after the deck blew up and you had to take  
15 it out and replace it; is that correct?

16 A. Right.

17 Q. The welding machine that Henry was  
18 using, John asked about periodic inspections on  
19 the machines.

20 Was it Bradford's procedure to have  
21 the machines inspected periodically?

22 A. No.

23 Q. In the years that you have worked,  
24 worked at Bradford did you ever have any  
25 problems with any of the welding machines?

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1 A. Just general maintenance.  
 2 Q. And how would you know when a  
 3 machine needed any maintenance?  
 4 A. The power cord may be frayed or the  
 5 plug was bad and you just have to change them  
 6 and keep an eye on them.  
 7 Q. And how would this be called to  
 8 your attention that the machine needed some  
 9 work?  
 10 A. Either one of the guys or I would  
 11 see it myself.  
 12 Q. Do you recall if after the  
 13 explosion the machine that Henry was using had  
 14 any repairs or any work done to it?  
 15 A. I don't recall.  
 16 Q. One of the other witnesses that has  
 17 testified in the last couple of days suggested  
 18 that Henry should have gotten a hole saw and cut  
 19 a hole in that deck in the lazarette before he  
 20 did the welding job. Is that a practical thing  
 21 to do in a situation where you have a very high  
 22 dollar yacht?  
 23 MR. KALLEN: Object to the form.  
 24 THE WITNESS: Not normally done,  
 25 no.

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1 MR. FAMULARI: I don't have  
 2 anything else right now.  
 3 RE-CROSS-EXAMINATION  
 4 BY MR. KALLEN:  
 5 Q. When you were in the lazarette  
 6 before the welding did you tap the deck?  
 7 A. No, I didn't.  
 8 Q. Is that -- do you know what I mean  
 9 by tap?  
 10 A. Yes.  
 11 Q. Why is that done?  
 12 A. Tapping the deck is something done  
 13 when you are looking for wasted plating.  
 14 Q. Okay.  
 15 A. And it's normally done on the  
 16 outside of the hull or if you are trying to find  
 17 a frame, but normally you are looking for a weak  
 18 plate or stuff.  
 19 Q. It can also tell you what is on the  
 20 other side?  
 21 A. Yes, the only thing you could tell  
 22 is where a frame was.  
 23 Q. And where a frame isn't?  
 24 A. Yes.  
 25 Q. And where the frame isn't you know

1 there is nothing behind where you are tapping?  
 2 MR. FAMULARI: Object to the form.  
 3 BY MR. KALLEN:  
 4 Q. Correct?  
 5 A. That is correct.  
 6 Q. Who makes the decision whether or  
 7 not to call out the marine chemist, the welding  
 8 department who is doing the welding or the  
 9 captain who is not doing the welding?  
 10 A. Usually the yard.  
 11 Q. Okay, and that is your, in your  
 12 experience both Bradford and Merrill Stevens?  
 13 A. Right.  
 14 Q. The decision as to whether or not  
 15 it's necessary was the yard's call, correct?  
 16 A. Yes, that is correct.  
 17 Q. So the information that Henry was  
 18 traveling under before he welded as far as you  
 19 know was that there were no fuel tanks  
 20 underneath that deck?  
 21 A. That is correct.  
 22 Q. But, of course, you all knew that  
 23 anyway from the prior fuel tank work being done?  
 24 A. That is correct.  
 25 Q. And there were no fuel lines and as

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1 far as you know in fact there were no fuel  
 2 lines?  
 3 A. Correct.  
 4 Q. Did you ever prepare a written  
 5 report as to the circumstances of this accident?  
 6 A. I didn't. Torch did.  
 7 Q. Did you ever sign a report that  
 8 might have been prepared based on what you told  
 9 torch?  
 10 A. I don't recall.  
 11 Q. Were you on board and in the  
 12 lazarette after the explosion to make a  
 13 determination as to what caused it?  
 14 A. I didn't go into it as far as  
 15 determining.  
 16 Q. Were you on board just to look  
 17 around basically and to satisfy your curiosity?  
 18 A. I was in there when he was in the  
 19 hold, when Henry was down.  
 20 Q. So you were in there to help Henry  
 21 out?  
 22 A. Yes.  
 23 Q. But you did --  
 24 A. I spent several times going in  
 25 looking at it and --



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1 Q Trying to figure things?  
 2 A Yes. Figure things and determine  
 3 the repair because we did repair the boat.  
 4 Q Did you ever tell anybody after the  
 5 fact that, my God, there was a void space here,  
 6 someone should have told us?  
 7 A Did I tell anybody?  
 8 Q Yes?  
 9 A No.  
 10 Q Did you tell Torch that? Say,  
 11 Torch there was a void space here?  
 12 A I don't recall.  
 13 MR. VALDES: Objection, hearsay. I  
 14 object to the prior question also as  
 15 hearsay.  
 16 MR. KALLEN: Of what he told  
 17 somebody?  
 18 MR. VALDES: It would be hearsay.  
 19 BY MR. KALLEN:  
 20 Q This is what is called a  
 21 perfunctory question and don't ask me what that  
 22 means, but I have heard that term used before.  
 23 But have you ever gone under a  
 24 different name?  
 25 A No.

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1 Q And these are questions asked of  
 2 most of the witnesses, so don't feel singled  
 3 out.  
 4 A I am straight up with the man.  
 5 MR. VALDES: Have you ever been a  
 6 woman before?  
 7 THE WITNESS: No.  
 8 BY MR. KALLEN:  
 9 Q That was my next question. Have  
 10 you ever been convicted of a felony?  
 11 A Not a felony.  
 12 Q Misdemeanor?  
 13 A Public brawling and mayhem.  
 14 MR. VALDES: Objection, relevance,  
 15 move to strike.  
 16 BY MR. KALLEN:  
 17 Q That is okay. And when was that,  
 18 sir?  
 19 A Actually, no, they didn't -- they  
 20 dropped the charges.  
 21 Q so you have been arrested before?  
 22 A Yes.  
 23 Q But not convicted of any offense  
 24 that --  
 25 A No.

1 Q -- That carried with it a  
 2 imprisonment of one year or more?  
 3 A No, no.  
 4 Q Okay.  
 5 MR. VALDES: Objection, move to  
 6 strike that line of questioning and  
 7 answers. Not relevant, improper.  
 8 MR. KALLEN: I have nothing else.  
 9 RE-CROSS-EXAMINATION  
 10 BY MR. WEBER:  
 11 Q Just a couple and I'll be done.  
 12 Mr. Rimmel issued a report the day after this  
 13 accident, am I right?  
 14 A I can't recall.  
 15 Q Well, let me just tell you.  
 16 A I know he was there.  
 17 Q Let me just tell you that he did.  
 18 A Okay.  
 19 Q Have you ever read his report?  
 20 A No, no.  
 21 Q Let me just read a section of it  
 22 and then I'll ask you some questions. From page  
 23 2, the second full paragraph.  
 24 MR. VALDES: Hearsay objection.  
 25 BY MR. WEBER:

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1 Q Third full paragraph, it says,  
 2 "Upon finding the deck plate too thin to hold  
 3 the fasteners" -- let me start higher. Strike  
 4 that.  
 5 MR. VALDES: Same objection.  
 6 BY MR. WEBER:  
 7 Q The crew -- are you done?  
 8 MR. VALDES: Yes.  
 9 BY MR. WEBER:  
 10 Q "The crew who initially started to  
 11 install the pump stated that they had drilled  
 12 the, a couple of holes in the area in order to  
 13 bolt down the pumps. Upon finding the deck  
 14 plate too thin to hold the fasteners they then  
 15 had the yard make up the plate which was being  
 16 welded to the deck at the time of the  
 17 explosion. The crew who had drilled the holes  
 18 stated that they did not smell any solvent or  
 19 gasoline smells when they drilled the holes.  
 20 The small holes that they drilled may not have  
 21 allowed any solvent vapors trapped below to exit  
 22 to the extent that they would have smelled them,  
 23 so this was inconclusive."  
 24 The question, first of all, did you  
 25 observe any holes in this location that had been

**NARANJO vs. STEPHEN B. SMITH****Condenselt™****JAN. 15TH, 2001**

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1 drilled?  
 2 A. I don't remember any.  
 3 Q. All right, and if somebody had  
 4 drilled holes there who would that have been, if  
 5 you know?  
 6 A. I don't know who would have drilled  
 7 them because we didn't -- My shop had no  
 8 involvement in actually installing the pumps  
 9 itself, other than the bases.  
 10 Q. Well, there was a department at  
 11 Bradford Marine who would have installed these  
 12 pumps?  
 13 A. Who would have done it?  
 14 Q. Yes, who would have done it?  
 15 A. Probably the machine shop.  
 16 Q. Do you recall seeing anybody from  
 17 the machine shop out there that day?  
 18 A. No.  
 19 Q. When it says here that the deck  
 20 plate was too thin to hold the fasteners, what  
 21 does that mean to you?  
 22 MR. VALDES: Objection, hearsay.  
 23 THE WITNESS: You don't have enough  
 24 metal for the size of the bolt that is going  
 25 to hold them down. You have to have a

1 contractor to put in those pumps?  
 2 MR. KALLEN: Object to the form.  
 3 THE WITNESS: Jack, probably.  
 4 BY MR. VALDES:  
 5 Q. The captain?  
 6 A. Yes, the captain.  
 7 MR. VALDES: That is all. Take a  
 8 copy.  
 9 MR. KALLEN: No questions.  
 10 MR. FAMULARI: I have nothing  
 11 else.  
 12 MR. VALDES: Read or waive?  
 13 THE WITNESS: Waive.  
 14 (Thereupon, the deposition was  
 15 concluded at 4:35 p.m. and the formalities  
 16 of reading and signing were waived.)  
 17  
 18  
 19  
 20  
 21  
 22  
 23  
 24  
 25

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1 certain thickness of metal for a certain  
 2 amount of threads on a bolt.  
 3 General rule being, half inch bolt  
 4 you need a half inch plate.  
 5 BY MR. WEBER:  
 6 Q. So is it your understanding that  
 7 the initial idea, and I am just asking what your  
 8 understanding is, that there was actually going  
 9 to be a nut outside of the bolt?  
 10 A. No, the thread would tap it.  
 11 Q. And apparently at least what was  
 12 told to Mr. Rimmel, and again I am just asking  
 13 you what your understanding is, when they  
 14 drilled that hole in what happened?  
 15 A. I don't know.  
 16 Q. Well, you don't have any  
 17 understanding?  
 18 A. Apparently it was too thin. My  
 19 understanding, it was an outside contractor  
 20 putting the pumps in, so I don't -- I mean, I  
 21 don't know.  
 22 Q. Okay, thank you.  
 23 REDIRECT EXAMINATION  
 24 BY MR. VALDES:  
 25 Q. Who would have hired the outside

1  
 2 CERTIFICATE OF OATH  
 3  
 4 STATE OF FLORIDA  
 5 COUNTY OF DADE  
 6  
 7  
 8 I, the undersigned authority,  
 9 certify that Tony Allen Watson personally  
 10 appeared before me and was duly sworn.  
 11 WITNESS my hand and official seal  
 12 this 7th day of March, 2001.  
 13  
 14  
 15  
 16 JULIO A. MOCEGA  
 17 Notary Public- State of Florida  
 18 My Commission Expires: 6-29-2002  
 19  
 20  
 21  
 22  
 23  
 24  
 25

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**Condenselt™**

**JAN. 15TH, 2001**

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CERTIFICATE OF REPORTER

STATE OF FLORIDA

COUNTY OF DADE

I, JULIO A. MOCEGA, Registered  
Professional Reporter, certify that I was  
authorized to and did stenographically report  
the foregoing proceedings; and that the  
transcript is a true and accurate record.

I further certify that I am not an  
attorney or counsel of any of the parties, nor a  
relative or employee of any attorney or counsel  
connected with the action, nor financially  
interested in the action.

Dated this 7th day of March, 2001.

JULIO A. MOCEGA, R.P.R.

State of Florida

County of Dade

The foregoing certificate was acknowledged  
before me this day of, 2001,  
by Julio A. Mocega, who is personally known to me.

**NARANJO vs. STEPHEN B. SMITH****Condenselt™****'81 - accurate**

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**NARANJO vs. STEPHEN B. SMITH****Condenselt™****sign - that**

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size [5]	61:12	74:3	75:14	76:23	77:2	100:4	100:17	44:4	44:4	44:10	88:7	89:17	
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Smith [2]	1:9		60:19	60:21	60:22	steering [2]	15:9	71:21	77:2	88:14	7:23	8:4	8:5
2:23			61:2	61:13		15:12		99:7			8:6	8:18	9:3
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26:7	29:12	29:22	space [21]	17:4		stepped [1]	54:24	45:5	62:7		11:22	11:23	12:1
29:22	30:19	34:17	21:25	22:7	22:10	Stevens [8]	5:2	69:23	87:7		12:2	12:5	12:5
36:13	40:15	48:7	32:6	32:12	33:6	5:4	7:8	talk [1]	10:25		12:22	13:2	13:5
49:21	51:5	52:5	33:7	33:11	42:25	7:16	60:15	talked [7]		16:8	13:5	13:11	13:18
53:9	53:13	53:23	61:17	62:4	79:21	91:12		56:16	56:17	73:5	13:18	14:1	14:2
54:25	55:6	55:12	79:22	80:21	81:7	stick [1]	9:15	75:12	84:10	87:13	14:14	14:17	14:22
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67:3	67:14	69:19	56:1	64:18	64:22	stop [2]	60:10	tank [12]	12:4	32:3	16:18	17:4	17:5
70:7	73:5	73:14	65:10	65:22	66:6	straight [1]	94:4	32:3	32:6	35:18	17:9	17:13	18:1
76:25	77:24	79:19	66:25	67:10	67:14	Street [6]	1:14	47:23	48:13	78:4	18:15	18:19	18:21
82:14	83:17	83:24	78:23			2:4	2:8	78:6	79:22	87:4	19:1	19:9	20:2
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92:20	94:2	94:21	spare [1]	47:10		strike [4]	21:7	tanks [5]	20:10	20:16	20:23	21:7	21:7
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Society [1]		76:6	special [1]	75:17		48:15	57:18	69:11	90:6	90:9	22:13	22:19	23:4
sock [1]	17:20		specialized [1]	11:14		90:18		98:10			23:15	23:22	23:22
solid [5]	64:16	64:20	specifically [3]	78:21		Sturgeon [1]	2:14	tapped [1]	23:1		24:11	24:16	25:5
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**NARANJO**  
**JULIO A. MOCEGA & ASSOC.**  
**STEPHEN B. SMITH**

**Condenset™**

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